

Via Electronic Submission
Atty Docket: P992792-04UT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Joseph Pawlush

Date: June 8, 2006

Serial No.: 10/658,317

Group Art Unit: 3636

Filed: September 9, 2003

Examiner: Peter M. Cuomo

For: FASTENING SYSTEM FOR CHAIR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO REVIVE UNINTENTIONAL
ABANDONMENT OF PATENT APPLICATION**

This is a petition to revive an unintentionally abandoned patent application under 37 C.F.R. §1.137(b), which was abandoned as of February 11, 2006 for failure to respond to the Notice of Non-Compliant Amendment Under 37 C.F.R. §1.121 mailed on October 11, 2005.

(1) This petition is accompanied by an Amendment in response to the Notice of Non-Compliant Amendment Under 37 C.F.R. §1.121.

(2) This petition is accompanied by the fee of \$750.00 due under 37 CFR 1.17(m) for a small entity. The Commissioner is authorized to charge this fee to Deposit Account No. 500864 and any additional fee which might be necessary to expedite granting of this petition.

(3) The undersigned verifies that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. §1.137(b)

was unintentional. The reasons for delay are set forth in the accompanying Declaration of Christopher Paradies, Ph.D.

(4) Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

From the foregoing and attached Declaration of Christopher Paradies, Ph.D., it is believed that entire delay in prosecuting this application was unintentional and revival is requested.

Dated: June 8, 2006

Respectfully submitted,



Christopher Paradies, Ph.D.
Registration No.: 45,692
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Telephone: (813) 222-1190

CJP:kat

#1842512v1

DECLARATION IN SUPPORT OF PETITION

1. I, Christopher Paradies, reg. no. 45,692, am authorized to represent the assignee of U.S. Application No. 10/658,317.
2. I timely filed a response to an office action for U.S. Application No. 10/658,317 by fax on August 4, 2005.
3. On information and belief, an office communication was mailed on Oct. 11, 2005 relating to U.S. Application No. 10/658,317.
4. I never received the office communication mailed on Oct. 11, 2005. Upon information and belief, the office communication mailed on Oct. 11, 2005 was not received by anyone in my firm.
5. On June 8, 2006, today, I received a notice of abandonment of U.S. Application No. 10/658,317 for failure to file a response to the office communication mailed on Oct. 11, 2005, which was mailed on May 18, 2006, and obtained a copy of the communication mailed on Oct. 11, 2005 from PAIRS.
6. If I had received the office communication mailed on Oct. 11, 2005, I would have timely responded by submitting a revised amendment showing all of the pending claims within the shortened period for reply.

7. The failure to respond to the office communication mailed on Oct. 11, 2005 was unintentional.

8. The entire period of delay in responding to the office communication mailed on Oct. 11, 2005 was unintentional, because neither myself nor, on information and belief, anyone in my office knew of the office communication mailed on Oct. 11, 2005 until today, June 8, 2006.

9. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Dated: June 8, 2006



Christopher Paradies